

*Bernbach*  
*Law Firm PLLC*

MEMO ENDORSED

707 Westchester Avenue, Suite 411  
White Plains, N.Y. 10604  
(Tel.) 914-422-5717  
(Fax) 914-422-5718  
*Bernbachlawfirm@verizon.net*

October 22, 2019

Hon. Ona T. Wang  
United States Magistrate Judge  
United States District Court  
500 Pearl Street  
New York, NY 10007

Re: Ralph Compagnone v. MJ Licensing Company et al., Civil Action No. 1:18-cv-06227 (AC)

Dear Judge Wang:

We represent Defendants in connection with the above-referenced action and write in connection with a discovery dispute that has arisen between the parties. As Plaintiff had placed in issue in the within action his alleged exclusive employment by Defendants and his alleged lack of earnings during that time, Defendants served document requests for copies of tax returns covering the six year period in question, along with a request for W-2 Forms and Form 1099's for the relevant period. Plaintiff refused to produce same on the ground that such are "private and confidential." Copies of the relevant portions of the Complaint, document requests and responses thereto are attached hereto. Defendants offered to enter into an appropriate protective order, but Plaintiff rejected the offer. A copy of the email exchange that ensued is also attached.

A second discovery issue relates to Plaintiff's response to many of Defendants' document requests via a "document dump" in which Plaintiff produced numerous documents without in any way identifying the particular request(s) to which they were a response. Plaintiff refused Defendants' request that he match-up via Bates number each document to the relevant request. This too is reflected in the email string attached hereto.

Defendants believe they are entitled to the above-described responses to their discovery requests and respectfully request that the Court order Plaintiff to comply.

Respectfully,

  
Jeffrey M. Bernbach

Cc: H.P. Sean Dweck (Via ECF & email)  
JMB/rc

**Application granted** as to Plaintiff's W-2 and 1099 forms only, to be produced by December 6, 2019. If Parties cannot agree on a protective order, the standard form on the SDNY website will govern. **Request denied** as to the hard copy documents numbered P1-P109. For the emails, Defendants must submit a 3-page letter by **November 20, 2019**, identifying the format of the email files, the steps taken to review them, the volume of the emails in terms of their number and the gigabytes of data, and whether such emails are searchable or sortable. Parties are to submit their next joint status letter on **December 9, 2019**.

**SO ORDERED.**



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Ona T. Wang  
U.S. Magistrate Judge

11/13/2019